

APRIL 10, 2014

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, April 10, 2014, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Barbara Ehardt
Councilmember Ed Marohn
Councilmember Thomas Hally
Councilmember Sharon D. Parry
Councilmember Dee Whittier
Councilmember Michael Lehto

Also present:

Randy Fife, City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Casper requested Sam Pinson and McKaya Murphy to lead those present in the Pledge of Allegiance.

Mayor Casper and Councilmembers honored students receiving the 2013-2014 CommUNITY Festival Diversity Essay Contest Awards. The presentation was conducted as follows:

Introduction and Welcome by Mayor Rebecca Casper

Presentation of Certificate to Breaking Boundaries for Contest Judging:

Paula Green, 2014 CommUNITY Festival Committee Chair

Announcement and reading of the Grand Prize-Winning Essay:

According to a member of the judging committee, the Grand Prize-Winning Essay “not only well-fulfilled the criteria but is an example of a well-written, well-planned, thoughtful essay that speaks to every heart. It was clearly a winner above all other essays.”

How Student Diversity Represents My School

Olivia Pinson, 6th Grade, Tiebreaker Elementary School

I go to Tiebreaker Elementary School and I would like to talk to you about how student diversity represents my school.

Our school’s mascot is the mighty thunderbird, a supernatural creature of legendary power and strength. This bird represents our school. It is a symbol of diversity, also.

APRIL 10, 2014

Three reasons diversity is good for my school is so that we can learn to work together, be able to help each other and strengthen our school by using our differences.

I also believe that we should have faith that we can treat everyone well.

In Martin Luther King, Jr.'s speech, he says, "With all this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood."

I fully agree with him.

First off, diversity is important in that it can teach us to work together. King helped us to understand that. Just imagine what our world would be like if everyone wore the same clothes, had the same religion and shared the same opinion. With all the diversity in my school, we have learned to work together.

Since we spend every minute in school with people very different from us, we learn to cooperate and get along with people. We have learned to appreciate others and see how the world is and that it is not all about us.

Next, how diversity represents my school is that we can help each other.

King helped everyone he could, even the people that hated him. All of us probably know someone that is a bully or very mean. We never know exactly what that person is going through in their life, so we should be kind even if they are mean.

Some of us might be good at math but bad at English and other people might be bad at math but good at English. Those people can help each other with their weaknesses by using their strengths. The same goes for everything and all of us.

My mom is very creative and musical while my dad is very logical and good at science. Together, they have taught each other a lot.

If there was no diversity in this world, there would be a lot less learning going on.

Last, but not least, our school can be strengthened by using our differences. What this means is that by using one preference and mixing it with another, we can come up with new inventions and ideas. For example, if I had the idea to play hide-and-seek but my friends had the idea to play tag, we could play hide-and-seek tag!

Many of our inventions were created by pondering and mixing our differences.

Martin Luther King, Jr., Rosa Parks, and other civil rights activists helped us to understand that diversity is important everywhere. I believe in living the civil rights dream just like them. And diversity can help us to work together, help each other and come up with new ideas and inventions. We cannot get away from diversity and so we should make the best of it.

APRIL 10, 2014

As a famous poem by Robert Frost* goes:

Two roads diverged in a yellow wood,
And sorry I could not travel both
And be one traveler, long I stood
And looked down one as far as I could
To where it bent in the undergrowth;

Then took the other, as just as fair,
And having perhaps the better claim,
Because it was grassy and wanted wear;
Though as for that the passing there
Had worn them really about the same,

And both that morning equally lay,
In leaves no step had trodden black.
Oh, I kept the first for another day!
Yet knowing how way leads on to way,
I doubted if I should every come back.

I shall be telling this with a sigh
Somewhere ages and ages hence;
Two roads diverged in a wood, and I-
I took the one less traveled by,
And that has made all the difference.

I believe that diversity is good for my school and for schools all around the world.

*"The Road Not Taken" (1916) by Robert Frost (1774-1963)

Presentation of Awards/Scholarships (more than \$2,000.00 total)

Grades 4-6: "How Student Diversity Represents My School"

- 1st Olivia Pinson, Tiebreaker Elementary School (Idaho Falls, Idaho)
- 2nd Kyleigh Murphy, Hazel Stuart Elementary School (Shelley, Idaho)
- 3rd Alaina Sheffield, Tiebreaker Elementary School (Idaho Falls, Idaho)

Grades 7-9: "Bullying: A Step-By-Step Guide to Make Things Better for Everyone"

- 1st Esther Russell, American Heritage Charter School (Idaho Falls, Idaho)
- 2nd Kimberly Williams, North Fremont Junior High School (Ashton, Idaho)
- 3rd Karissa Wiklund, American Heritage Charter School (Idaho Falls, Idaho)

Grades 10-12, "Incorporating Diversity in American Life"

- 1st Berkeley Wiser, Idaho Falls High School (Idaho Falls, Idaho)
- 2nd McKayla Jackson, Idaho Falls High School (Idaho Falls, Idaho)
- 3rd Nicole Breidenbach, Skyline High School (Idaho Falls, Idaho)

Contest judging by Breaking Boundaries: Theron McGriff, President; Steve Priebe, Vice President; Kerry Martin, Secretary; Max Dakins, Treasurer; Dino Lowrey, Historian; Joel Hubbell; Mary Kaufman; Leslee Martin; John McGimpsey; Gary Rillema; John Schroeder; Yon Scott; Denise Stephens.

APRIL 10, 2014

Mayor Casper requested those to come forward who had issues for the City Council that were not otherwise listed on the Council Agenda. No one appeared.

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes for the March 24, 2014 Council Work Session and the March 27, 2014 Regular Council Meeting.

The City Clerk presented several license applications, including a BEER LICENSE to Service Vending of Idaho, Inc. dba Mulligans (Pinecrest Golf Course), all carrying the required approvals, and requested authorization to issue those licenses.

The City Clerk requested approval of the Monthly Expenditure Summary for the month of March 2014.

The City Clerk requested approval of the Monthly Treasurer’s Report for the month of March, 2014, as follows:

City of Idaho Falls
March 2014

Dear Mayor and City Council Members:

Attached please find the City of Idaho Falls, Idaho, Monthly Treasurer’s Report for the above referenced month, as required by Idaho Code Section 50-208.

This report was filed in the City Clerk’s Office on or before the 10th day from the end of the month of the Report.

OATH

I, Craig Rockwood, the City of Idaho Falls Treasurer, do hereby affirm that this City of Idaho Falls, Idaho, Monthly Treasurer’s Report is true and accurate to the best of my knowledge and that it shows the state of the City Treasury as of the date of this Report and the balance of money in the City Treasury, all as required by Idaho Code Section 50-208. (Full Report on File in the City Clerk’s Office.)

s/ Craig Rockwood
Craig Rockwood

April 8, 2014
Date Signed

ACKNOWLEDGEMENT

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 8th day of April, 2014, before me, the undersigned, a Notary Public for Idaho, personally appeared CRAIG ROCKWOOD known to me to be the Treasurer of the City of Idaho Falls, the municipal corporation that executed the foregoing document and acknowledged to that such City executed the same.

(SEAL)

s/ Kathy Hampton
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 01-03-2020

APRIL 10, 2014

The City Clerk requested approval of the Monthly Reports from various Division and Department Heads, and asked that they be accepted and placed on file in the City Clerk's Office.

The Idaho Falls Power Division submitted the following items:

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power General Manager
SUBJECT: CONSENT AGENDA – AUTHORIZATION TO ADVERTISE FOR BIDS FOR POLE TESTING AND TREATMENT

Idaho Falls Power respectfully requests authorization to advertise and receive bids to complete pole testing and treatment on our existing 161 kV steel pole structures. Over the past several years, Idaho Falls Power has been completing testing and treatment on poles to monitor condition and extend life expectancy. This project is in the FY14 operation and maintenance budget.

s/ Jackie Flowers

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power General Manager
SUBJECT: CONSENT AGENDA – AUTHORIZATION TO ADVERTISE FOR BIDS FOR OUTAGE MANAGEMENT SYSTEM

Idaho Falls Power respectfully requests authorization to advertise and receive bids for a new outage management system. This project is in the FY14 operation and maintenance budget.

s/ Jackie Flowers

The Public Works Division submitted the following items:

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AUTHORIZATION – SEWER REPAIRS – 2014

APRIL 10, 2014

Public Works requests authorization to advertise to receive bids for the Sewer Repairs – 2014 Project.

s/ Chris H Fredericksen

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AUTHORIZATION – SANITARY SEWER REHABILITATION - 2014

Public Works requests authorization to advertise to receive bids for the Sanitary Sewer Rehabilitation – 2014 Project.

s/ Chris H Fredericksen

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AUTHORIZATION – UTAH AVENUE ROUNDABOUT RECONSTRUCTION

Public Works requests authorization to advertise to receive bids for the Utah Avenue Roundabout Reconstruction Project.

s/ Chris H Fredericksen

It was moved by Councilmember Marohn, seconded by Councilmember Parry, to approve the Consent Agenda in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Whittier
Councilmember Hally
Councilmember Parry
Councilmember Lehto
Councilmember Ehardt
Councilmember Marohn

Nay: None

Motion Carried.

REGULAR AGENDA

The Municipal Services Director submitted the following item:

APRIL 10, 2014

City of Idaho Falls
March 28, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig Rockwood, City Treasurer
SUBJECT: BID IF-14-14, ONE (1) NEW 2014 SIDE LOAD REFUSE CONTAINER BODY – MINIMUM 29 CUBIC YARD MOUNTED ON ONE (1) NEW 2014 CONVENTIONAL CAB AND CHASSIS

Attached for your consideration is the tabulation for above subject bid.

It is the recommendation of Municipal Services and Public Works to accept the low bid of Rush Truck Center (2A) for a total amount with trade-in of \$132,750.00.

s/ Craig Rockwood

Councilmember Marohn explained that this vehicle replaces a 2008 vehicle that has over 80,000 miles. It was moved by Councilmember Marohn, seconded by Councilmember Whittier, to accept the low bid provided by Rush Auto Center (2A on the attached bid tabulation) for a total amount with trade-in of \$132,750.00. Roll call as follows:

Aye: Councilmember Marohn
Councilmember Lehto
Councilmember Ehardt
Councilmember Hally
Councilmember Parry
Councilmember Whittier

Nay: None

Motion Carried.

The Planning and Building Division submitted the following item:

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Brad Cramer, Planning and Building Director
SUBJECT: FIRST AMENDED ANNEXATION AGREEMENT – UTAH AVENUE OVERLOOK, DIVISION NO. 1

Attached is the amended Annexation Agreement for Utah Avenue Overlook, Division No. 1. In 2013, the Council agreed to amend the Agreement to reduce the required landscaping along the street from 15 feet in width to 10 feet. This amendment also requires additional landscaping on the southern boundary of the property. The developer has agreed to the revised terms and the item is now being submitted to the Mayor and Council for consideration.

s/ Brad Cramer

APRIL 10, 2014

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this request:

Slide 1	Aerial Photo showing area under consideration
Exhibit 1	Vicinity Map showing surrounding zoning
Exhibit 2	Amended Annexation Agreement

The Planning and Building Director explained, further, that this property was annexed with a zone that required no landscaping or setback requirements. In recognition of what was taking place in Taylor's Crossing and Snake River Landing, the Planning Commission and the City Council required, as part of the Annexation Agreement, a 15-foot wide landscape strip. This is consistent with other zones. The applicant requested that the 15-foot landscape strip be reduced to 10 feet through an amendment to the Annexation Agreement. The City Council agreed to this provision, as well as agreeing to additional landscaping on the southern boundary.

Councilmember Parry requested that the zoning of this property be revisited in three years. The Planning and Building Director explained that the zoning could be revisited at any time with the owner consenting. Without the owner's consent, the zoning could be revisited in four years.

It was moved by Councilmember Whittier, seconded by Councilmember Lehto, to approve the Amended Annexation Agreement for Utah Avenue Overlook, Division No. 1 and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Ehardt
Councilmember Marohn
Councilmember Hally
Councilmember Whittier
Councilmember Lehto

Nay: Councilmember Parry

Motion Carried.

The Idaho Falls Power Division submitted the following items:

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power General Manager
SUBJECT: SMALL GENERATION NET METERING AND INTERCONNECTION
AGREEMENT BETWEEN AARON WILSON AND IDAHO FALLS POWER

Attached is a copy of the Small Generation Net Metering and Interconnection Agreement between Aaron Wilson and Idaho Falls Power for generating facilities located at 3635 Tuscany. The City Attorney has reviewed the agreement.

APRIL 10, 2014

Staff respectfully requests that City Council approve the agreement and authorize the Mayor to execute the document.

s/ Jackie Flowers

Councilmember Lehto requested the Idaho Falls Power General Manager to come forward to give a further explanation of this agreement.

The Idaho Falls Power General Manager appeared to explain that when the customer's side of the meter has some generation source (this one being solar) that has the potential to generate, both to offset the amount of electric consumption from the grid or generate more than they would use, an agreement is entered into to determine how to handle the excess energy. The agreement comes forward with Idaho Falls Power technical requirements, as well as some legal provisions. It also addresses any back-feed issues that Idaho Falls Power might have in concern for safety for Idaho Falls Power crews. It also addresses how to handle the generation, in terms of how much is generated and still consumes from Idaho Falls Power, or whether there is excess generation.

It was moved by Councilmember Lehto, seconded by Councilmember Marohn, to approve the Small Generation Net Metering and Interconnection Agreement between Aaron Wilson and Idaho Falls Power and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Marohn
Councilmember Whittier
Councilmember Hally
Councilmember Ehardt

Nay: None

Motion Carried.

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power General Manager
SUBJECT: TABULATION AND AWARD OF BID FOR THE GEM STATE EXCITATION SYSTEM PROJECT

Attached for your consideration is the bid tabulation for the above-referenced project. The project involves excitation equipment replacement and engineering services to commission the system. This project is in the Capital Improvement Plan and in the FY14 budget.

Idaho Falls Power recommends that the City Council approve the design and accept the low bid of Basler Electric Company for the base bid of \$145,288.00.

s/ Jackie Flowers

APRIL 10, 2014

It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve the Plans and Specifications for the Gem State Excitation System Project; to accept the low bid submitted by Basler Electric Company for the base bid amount of \$145,288.00; and give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Parry
Councilmember Ehardt
Councilmember Whittier
Councilmember Marohn
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

The Public Works Division submitted the following items:

City of Idaho Falls
March 26, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AWARD – MAJOR STREET OVERLAYS – 2014

On March 25, 2014, bids were received and opened for Major Street Overlays – 2014 Project. A tabulation of the bid results is attached.

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, DePatco, Inc., in an amount of \$226,939.90 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H Fredericksen

It was moved by Councilmember Ehardt, seconded by Councilmember Marohn, to approve the plans and specifications for the Major Street Overlays – 2014 Project; to accept the lowest responsive, responsible bid submitted by DePatco, Inc. in the amount of \$226,939.90; and, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Whittier
Councilmember Lehto
Councilmember Ehardt
Councilmember Marohn
Councilmember Parry

Nay: None

APRIL 10, 2014

Motion Carried.

Councilmember Parry questioned the item from the Idaho Falls Power Director regarding the tabulation and award of bid for the Gem State Excitation System Project. She stated that the recommendation from Richard Malloy to Jackie Flowers indicated that he would like to have Alternate A approved in the additional amount of \$45,828.00, resulting in a total amount of \$191,116.00. The Idaho Falls Power General Manager appeared to state that she would review this with staff and bring Alternate A to the next Regular Council Meeting for Council consideration should that be the result of her discussion.

City of Idaho Falls
March 26, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AWARD – MINOR STREET OVERLAYS – 2014

On March 25, 2014, bids were received and opened for Minor Street Overlays – 2014 Project. A tabulation of the bid results is attached.

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, HK Contractors, Inc., in the amount of \$511,567.00 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H Fredericksen

It was moved by Councilmember Ehardt, seconded by Councilmember Lehto, to approve the plans and specifications for the Minor Street Overlays – 2014 Project; to accept the lowest responsive, responsible bid submitted by HK Contractors, Inc. in the amount of \$511,567.00; and give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Whittier
Councilmember Hally
Councilmember Parry
Councilmember Lehto
Councilmember Ehardt
Councilmember Marohn

Nay: None

Motion Carried.

City of Idaho Falls
April 4, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris Fredericksen, Public Works Director
SUBJECT: CHANGE ORDER NO. 3 – “D” STREET UNDERPASS
RECONSTRUCTION

APRIL 10, 2014

Attached is Change Order No. 3 to the "D" Street Underpass Reconstruction Project. The Change Order provides additional compensation to the contractor for supplying additional railroad grading and base placement not included within the original contract and also provides for additional compensation for increased railroad liability insurance as required by the railroad. The additional cost for railroad grading and base placement is \$43,286.76 and the cost for additional liability insurance is \$14,375.00. The total Change Order increase amounts to \$57,661.76.

Public Works recommends approval of this Change Order; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chris H Fredericksen

The Public Works Director appeared to explain that this Change Order removes the shoe-fly tracks provided at the beginning of the contract, so that the railroad could continue to operate while the "D" Street Underpass was being constructed. This Change Order replaces the original line of the railroad tracks. Further, the original contract did not have the correct railroad insurance that was required. The insurance was taken care of under Change Order No. 2, which has since expired. The insurance requested under Change Order No. 3 continues that insurance coverage.

Councilmember Lehto requested to know the original contract amount. The Public Works Director stated that the original contract amount was just over \$3,400,000.00. The previous Change Orders amount to \$523,322.89.

It was moved by Councilmember Lehto, seconded by Councilmember Marohn, to approve Change Order No. 3 to Cannon Builders for the "D" Street Underpass Reconstruction Project in the amount of \$57,661.76 and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Marohn
Councilmember Lehto
Councilmember Ehardt
Councilmember Hally
Councilmember Parry
Councilmember Whittier

Nay: None

Motion Carried.

City of Idaho Falls
April 7, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: IONA BONNEVILLE SEWER DISTRICT – REQUEST FOR SEWER SERVICE AREA EXPANSION

APRIL 10, 2014

Public Works is in receipt of a request from the Iona Bonneville Sewer District to increase the District's Sewer Service Area boundary by 2.708 acres. The proposed expansion area is for residential development at the northwest corner of East 49th North (Telford Road) and North 55th East as depicted in the attached map.

This matter is being presented for your consideration.

s/ Chris H Fredericksen

The Public Works Director appeared to state that this item was discussed at a previous Council Work Session. Iona Bonneville Sewer District has a large service area. The Public Works Division is working with IBSD and the City of Ammon to better delineate the boundaries as the sewer has occurred between the City of Ammon and Iona Bonneville Sewer District. The Public Works Division will work through the areas of conflict and bring forward a new map with a sewer service area similar to what is in existence. This sewer expansion is a small request, coupled with future de-annexations within the Iona Bonneville Sewer District, to keep the sewer service area similar to what is in existence to date. The Public Works Director stated, further, that the Public Works Division has an excellent relationship with the Iona Bonneville Sewer District and the dialogue on these matters has been very open. He stated that he appreciated that relationship, and looked forward to the discussions in the future.

It was moved by Councilmember Ehardt, seconded by Councilmember Lehto, to approve the request from the Iona Bonneville Sewer District to increase the District's Sewer Service Area boundary by 2.708 acres for residential development at the northwest corner of East 49th North (Telford Road) and North 55th East. Roll call as follows:

Aye: Councilmember Ehardt
 Councilmember Marohn
 Councilmember Hally
 Councilmember Parry
 Councilmember Whittier
 Councilmember Lehto

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Marohn, seconded by Councilmember Ehardt, that the meeting adjourn at 8:20 p.m.

CITY CLERK

MAYOR
